

16-16-111 Name.

- (1) Use of the term "cooperative" or its abbreviation under this chapter is not a violation of the provisions restricting the use of the term under any other law of this state.
- (2)
 - (a) Notwithstanding Section 48-2a-102 or 48-2e-108, as appropriate pursuant to Section 48-2e-1205, the name of a limited cooperative association shall contain:
 - (i) the words "limited cooperative association" or "limited cooperative"; or
 - (ii) the abbreviation "L.C.A." or "LCA".
 - (b) "Cooperative" may be abbreviated as "Co-op" or "Coop".
 - (c) "Association" may be abbreviated as "Assoc." or "Assn."
 - (d) "Limited" may be abbreviated as "Ltd."
 - (e)
 - (i) Use of the term "cooperative" or its abbreviation as permitted by this chapter is not a violation of the provisions restricting the use of the term under any other law of this state.
 - (ii) A limited cooperative association or a member may enforce the restrictions on the use of the term "cooperative" under this chapter and any other law of this state.
 - (iii) A limited cooperative association or a member may enforce the restrictions on the use of the term "cooperative" under any other law of this state.
- (3) Except as otherwise provided in Subsection (4), a limited cooperative association may use only a name that is available. A name is available if it is distinguishable in the records of the division from:
 - (a) the name of any entity organized or authorized to transact business in this state;
 - (b) a name reserved under Section 16-16-112; and
 - (c) an alternative name approved for a foreign cooperative authorized to transact business in this state.
- (4) A limited cooperative association may apply to the division for authorization to use a name that is not available. The division shall authorize use of the name if:
 - (a) the person with ownership rights to use the name consents in a record to the use and applies in a form satisfactory to the division to change the name used or reserved to a name that is distinguishable upon the records of the division from the name applied for; or
 - (b) the applicant delivers to the division a certified copy of the final judgment of a court establishing the applicant's right to use the name in this state.

Amended by Chapter 412, 2013 General Session